

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

**EMPIRE HOLDINGS GROUP LLC d/b/a
ECOMMERCE EMPIRE BUILDERS d/b/a
STOREFUNNELS.NET and PETER
PRUSINOWSKI,**

Defendants.

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: **Civil Action**
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: **No. 2:24-cv-04949-WB**
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**RECEIVER’S RESPONSE TO DEFENDANTS’
EMERGENCY MOTION TO AMEND TRO ORDER**

The Receiver, Kevin Dooley Kent, by and through his counsel, hereby responds to Defendants’ Emergency Motion to Amend TRO Order (ECF No. 24) for the limited purpose of addressing Defendants’ requested relief as it pertains to the Receiver. Defendants seek to limit the Receiver’s authority “to preserving documents of the Defendants relating to the business operations of the Defendants and ensuring compliance with Section 5 of the FTC Act.” ECF No. 24-4 ¶ 2. Defendants thus request an amended order providing that “[t]he Receiver shall have no other authority beyond this preservation obligation and ensuring compliance with Section 5 of the FTC Act.” *Id.*

The Receiver reads Defendants’ proposed amended order as seeking to simultaneously make the Receiver responsible for Defendants’ document preservation and compliance with Section 5 of the FTC Act, while removing all of the other powers in the Order. But the Receiver cannot effectively ensure the preservation of documents or compliance with the law without having full access and authority over the Receivership Entities as granted by the TRO Order. As written, the proposed amended order would place responsibility—and potentially blame in the event of a failure—upon the Receiver for matters he would not control.

Accordingly, the Receiver respectfully requests that the Court consider these concerns when evaluating Defendants' request for an amendment of the TRO Order.

Respectfully submitted,

Dated: October 2, 2024

/s/ Robin S. Weiss

CLARK HILL PLC

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Attorney for Receiver, Kevin Dooley Kent

CERTIFICATE OF SERVICE

I certify that on the date set forth below, the foregoing was electronically filed pursuant to the Court's ECF system and that the documents are available for downloading and viewing by counsel of record from the Court's ECF system.

Dated: 10/2/2024

CLARK HILL PLC

/s/ Robin S. Weiss

Robin S. Weiss, Esquire

Attorney for Receiver, Kevin Dooley Kent